

REMARKS

Claims 1-8 have been examined. Claims 1-6 and 8 have been rejected under 35 U.S.C. § 102(e), and claim 7 has been rejected under 35 U.S.C. § 103(a).

Preliminary Matters

In the Office Action Summary, the Examiner marked boxes #2(a) and #2(b) indicating that the Office Action is both Final and Non-Final. Accordingly, Applicant's representative contacted the Examiner on November 10, 2003, to inquire about the discrepancy. The Examiner acknowledged that the current Office Action is non-final. Accordingly, Applicant respectfully requests that the Examiner submit an Interview Summary, with the next Office Action, that indicates that the current Office Action is non-final.

The Examiner has objected to the title as not being indicative of the invention to which the claims are directed. Accordingly, Applicant has rewritten the title, and respectfully submits that the title should not be construed to limit the scope of the claims.

Applicant has made a minor amendment to claims 1, 2, 6 and 8 for clarification purposes and to avoid any antecedent basis errors. Such amendments are not made in view of the prior art and do not narrow the scope of the claims.

In addition, Applicant noticed a minor typographical error in Fig. 5. In particular, at step S514, the term "printer" was misspelled. Accordingly, Applicant is submitting a substitute formal drawing with this Amendment, and respectfully requests the Examiner to acknowledge the drawing.

Newly Added Claims

Applicant has added claims 9-14 to provide more varied protection for the present invention. Applicant submits that claims 9-14 are patentable for at least similar reasons as claims 1-4.

Rejections under 35 U.S.C. § 102(e)

Claims 1-6 and 8 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,806,005 to Hull et al. ("Hull").

A. Claims 1-6

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites a digital camera having a storage medium. Reduction image data, which is formed by a reduction image data forming means, is stored in the storage medium of the digital camera.

The Examiner maintains that the compressed data, formed by server station 14 of Hull, discloses the claimed reduction image data (col. 4, lines 29-30). However, the compressed data (i.e. JPEG data) of Hull does not disclose the claimed reduction data. For example, in a non-limiting embodiment disclosed on page 11 of the current Application, the digital image data of the digital camera 3 is compressed by a method of JPEG prior to transmitting to the server computer 4 (i.e. image data memory apparatus). Once the compressed data is received in the server computer 4, the server computer 4 reduces the compressed data into the reduced data (i.e.

reduction data) (pg. 12 of Application). Thus, the compressed data, as disclosed in Hull, fails to teach or disclose the reduction data of claim 1.

Further, the Examiner maintains that capture device 20 discloses the claimed digital camera, and image memory 24 discloses the claimed storage medium (Fig. 1; col. 2, lines 1-3). Therefore, the Examiner maintains that column 4, lines 29-35 of Hull disclose that reduction image data is stored in the storage medium (i.e. image memory 24). In the cited portion, a compressed file is transmitted from server station 14 to remote station 12, in order for remote station 12 to directly dial a facsimile machine through network 16 (Fig. 1; col. 4, lines 29-35). However, as stated above, the compressed data of Hull fails to teach or disclose the claimed reduction image data.

Further, even by assuming *arguendo* that the compressed data of Hull discloses the claimed reduction image data, there is no teaching that the compressed file (i.e. alleged reduction image data) is stored in the image memory 24 (i.e. alleged storage medium of digital camera 20), as required by claim 1.

Accordingly, since Hull fails to teach or disclose each and every feature recited in claim 1, Applicant submits that such claim is patentable over the cited reference.

Further, since claims 2-6 are dependent, either directly or indirectly, upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

B. Claim 8

Since claim 8 contains features which are analogous to the features recited in claim 1 (i.e. reduction image data), Applicant submits that claim 8 is patentable over the cited reference for at least analogous reasons as presented above.

Rejection under 35 U.S.C. § 103(a)

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hull. However, since claim 3 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

In addition, the Examiner takes Official Notice that a cache memory, which deletes stored image data as needed, is obvious. Applicant respectfully traverses the rejection and requests that the Examiner provide documentary evidence in the next Office Action if the rejection is to be maintained (MPEP §2144.03). Furthermore, even if a cache memory in computer systems is known, Applicant sees no evidence of any use of a cache memory in a digital camera.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 09/534,563

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

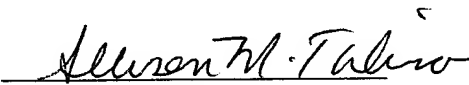
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